

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

CHARLES CLEVE EARNEST,

Plaintiff,

vs.

STATE FARM FIRE AND CASUALTY
COMPANY, et al.,

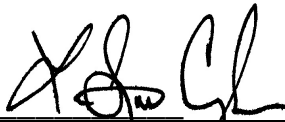
Defendants.

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CV-06-CO-2101-S

ORDER

In accordance with the memorandum of opinion entered contemporaneously herewith, defendants Zondra Hutto as Administratrix of the Estate of James Kimble and Darryl Watson are hereby DISMISSED from this action with prejudice. To the extent Plaintiff states a tort claim (Count II) against defendant Larry C. Thomas ("Thomas"), that claim is also DISMISSED with prejudice. Thomas is realigned as a plaintiff with respect to the declaratory judgment portion of Charles Earnest's complaint, and Plaintiff's motion to remand (Doc. 6.) is DENIED.

Done this 17th day of January 2007.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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